

**TOOELE COUNTY
ORDINANCE 2022-18**

AN ORDINANCE AMENDING SECTION 17-1-5, DEVELOPMENT RESTRICTIONS IN COMMERCIAL ZONES, OF CHAPTER 17, COMMERCIAL, INDUSTRIAL, AND HAZARDOUS INDUSTRIES ZONING DISTRICTS, OF THE TOOELE COUNTY LAND USE ORDINANCE

WHEREAS, Planning Staff have recommended an amendment to the setback requirements for commercial buildings; and

WHEREAS, the recommended amendment would eliminate the required 50-foot setback for commercial buildings located on “any street line that continues as frontage into a residential district”; and

WHEREAS, public notice of the requested land use amendment was provided as required by UCA Section 17-27a-205; and

WHEREAS, the Planning Commission conducted a public hearing and discussed the requested land use amendment; and

WHEREAS, the Planning Commission voted to recommend an amendment to the Tooele County Land Use Ordinance;

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE COUNTY ORDAINS AS FOLLOWS:

SECTION I – SUBSECTION AMENDED. Subsection 17-1-5(1) of Section 17-1-5, *Development Restrictions in Commercial Zones*, of Chapter 17, *Commercial, Industrial, and Hazardous Industries Zoning Districts*, of the Tooele County Land Use Ordinance is hereby amended to read as follows:

(1) The minimum front yard setback requirement of 20 feet for commercial buildings may be reduced to 0 feet following approval by the Tooele County Planning Commission. Additionally, no commercial building shall be located closer than 50 feet to any residential district boundary line, and no such building shall encroach on any easement.

SECTION II – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 21st day of June, 2022.

ATTEST:



TRACY D. SHAW, County Clerk

TOOELE COUNTY COUNCIL:



JARED S. HAMNER, Chair



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|-------------------------------|---------------|
| Council Member Hamner voted | <u>absent</u> |
| Council Member Hoffmann voted | <u>absent</u> |
| Council Member Thomas voted | <u>aye</u> |
| Council Member Tripp voted | <u>may</u> |
| Council Member Wardle voted | <u>aye</u> |

APPROVED AS TO FORM:

 06/22/2022

COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY LAND USE ORDINANCE

CHAPTER 17

COMMERCIAL, INDUSTRIAL, AND HAZARDOUS INDUSTRIES ZONING DISTRICTS

17-1-5. Development restrictions in commercial zones.

In commercial zoning districts:

(1) ~~The minimum front yard setback requirement of 20 feet for commercial buildings may be reduced to 0 feet following approval by the Tooele County Planning Commission. Additionally, Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except~~ no commercial building shall be located closer than 50 feet to any residential district boundary line ~~or to any street line which continues as frontage into a residential district~~, and no such building shall encroach on any easement.

(2) Buildings and structures shall cover no more than 30% of the lot area except as may otherwise be allowed through planned unit development approval, except coverage shall not exceed 50% in C-G zoning districts.

(3) All uses shall be free from objectionable noise, hazards, or nuisances.

(4) Improvements required by the planning commission may include:

- (a) street grading;
- (b) street base;
- (c) curb and gutter;
- (d) sidewalk;
- (e) on-site surface drainage facilities;
- (f) culinary water facilities;
- (g) wastewater disposal;
- (h) street monuments; and
- (i) any other infrastructure deemed necessary.

(5) Not more than 20% of the building shall be used for wholesale business.